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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

MARK MORRISON, an individual;

Plaintiff,

vs.

ULI ZANGPO, an individual;

Defendants.

) **Case No: 3:08-CV-1945-EMC**

) **DECLARATION OF MARK**  
) **MORRISON IN SUPPORT OF**  
) **OPPOSITION TO DISMISS DUE TO**  
) **LACK OF JURISDICTION**

) **Date: September 10, 2008**  
) **Time: 10:30 a.m.**  
) **Courtroom: C, 15<sup>th</sup> FLR**

**DECLARATION OF MARK MORRISON**

I, MARK MORRISON, hereby declare under penalty of perjury as follows:

1. I, MARK MORRISON, am an attorney at law duly licensed to practice before all courts of the State of California. I am a sole practitioner.
2. I have personal knowledge of the facts set forth herein, and if called upon to do so, I could competently testify to the same.

- 1 3. My family and I sold our California home in December 2004 and have been tenants since.  
2 The property known as 30 Prospect Avenue, San Anselmo, CA was an investment  
3 property purchased through a 1031 exchange. We rented a home in San Anselmo,  
4 California from August 2004 to August 2006. We moved to Detroit, Oregon August  
5 2006, but returned to Fairfax, California November 2006 in order to insure the  
6 completion of the Property that is at issue in this complaint. We moved to Langley,  
7 Washington August 2007 and currently our bound to a two-year lease agreement for a  
8 single-family residence. My wife and I have three young children who currently live  
9 with us in Washington. Our children have been enrolled at the Whidbey Island Waldorf  
10 School since August 2007 and are currently signed up for the August 2008 school year.  
11
- 12 4. I have insurance agents in California, Oregon and Washington. I do not have a  
13 stockbroker, but do have a small IRA with a California broker and a brokerage account in  
14 Washington. My wife and I are registered Washington voters and I attended the local  
15 Island County caucus on behalf of Barrack Obama. My wife and I have Washington  
16 Driver's license. I will make a copy of my driver's license available to this Court upon  
17 request. I purposely did not attach any document with my residential address due to the  
18 fact that defendant, Uli Zangpo, made a death threat against my life. (Exhibit 1 Police  
19 Report)
- 20 5. I have a vehicle registered in California, Oregon and Washington.<sup>1</sup> My wife and I  
21 opened new personal and business bank accounts in Washington and have maintained a  
22 California business account for free online banking versus paying \$25 per month for such  
23 service at our new bank. I have various credit cards issued from various institutions  
24

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25 <sup>1</sup> Plaintiff is in the process of transferring the California vehicle. Plaintiff owns a cabin in Oregon and has a truck registered in that State. Plaintiff's primary vehicle is a Honda Odyssey registered in Washington.

1 located in various states with all registered to my mailing address in Washington. My  
2 primary mailing address is Washington with a secondary and temporary mailing address  
3 in California. During the transition time of my personal and business relations, I have  
4 maintained a California mailbox service, which is used at this point only as a safeguard in  
5 the event I failed to forgot to change an active address and this service will end at the end  
6 of the current lease. My California Bar license mailing address is Washington. I use my  
7 Washington address for all business relations.

8 6. My family and I have a Washington doctor and dentist. I have maintained a personal and  
9 business relationship with his California accountant for approximately 11 years who is  
10 eligible to do tax returns for Washington residents. I maintain a broad-based law practice  
11 with cases currently filed in Indiana State Court and United States District Court  
12 Northern District of Indiana (Consumer Class Action), United States District Court  
13 Central District of California (FLSA case) and just settled a case slated for trial in the  
14 United States District Court Middle District of Florida (ADA case). I intend on sitting  
15 for the Washington Bar time permitting.

16 7. I am a member of the board of the Whidbey Island Waldorf School. My family and I  
17 have established many active social relationships in Washington and moved here, in part,  
18 due to very close family friends who moved here the year prior. My wife and I have a  
19 verbal contract to purchase real property as our primary residence in Washington. The  
20 transaction is being held up due to an application for the abandonment of a county road  
21 easement. I have established a relationship with a licensed Washington real estate broker  
22 who is actively looking for investment real estate in Washington.

23 8. My family and I moved to Washington with the intention of making Washington our  
24 primary residence indefinitely.  
25

1 Dated: 6-20-08

2  
3 By: /s/Mark Morrison  
Mark Morrison



## FAIRFAX POLICE DEPARTMENT

Page 1

## CAD INCIDENT REPORT

070418028

06/17/2008

<b>Location</b> FAIRFAX POLICE DEPARTMENT, 144 BOLINAS RD				<b>Cross Streets</b> PARK RD/CREEK RD			<b>City</b> FAIRFAX	
<b>Incident Type</b> THREATS - THREATS				<b>Call Taker</b> BARBOUR, DAWN			<b>Dispatcher</b> BARBOUR, DAWN	
<b>Date</b> 04/18/2007	<b>Priority</b> 2	<b>Primary Unit</b> 5L2	<b>Beat</b>	<b>Fire Zone</b>	<b>Area</b> DNTN	<b>Map</b> F4	<b>Source</b> TELEPHONE CALL	
<b>Caller Name</b> MORRISON, MARK				<b>Caller Address</b> 200 Bolinas Rd, #56, Fairfax			<b>Caller Phone</b> 415-686-2763	
<b>Dispositions</b> Advice Given					<b>Weapon</b>		<b>Alm Level</b>	<b>Case Number</b>
<b>Vehicles</b>					<b>Associated Incidents</b>			
<b>Incident Times</b>		<b>Special Circumstances</b>						
<b>Received</b>	20:01:49	<b>Persons</b>						
<b>Created</b>	20:07:55							
<b>Dispatched</b>	20:08:10							
<b>En Route</b>	20:08:10							
<b>On Scene</b>	20:13:20							
<b>Closed</b>	20:58:40							
<b>Revd-Closed</b>	56:51							
<b>Unit Times</b>	<b>Officer</b>	<b>Dispatched</b>	<b>Enroute</b>	<b>On Scene</b>	<b>Clear</b>	<b>Disp-On Scene</b>	<b>On Scene-Clear</b>	<b>Disp-Clear</b>
5L2	Nicholas, Ken (Ofcr)	20:08:08	20:08:10	20:13:20	20:58:40	05:12	45:20	50:32
<b>Incident Comments</b>								
<p>A former friend of RP's called another mutual friend of RP's making a verbal threat insinuating that RP stole \$1000 from him and he's lucky to be alive. The friend, Paul Warren (619-997-6600), was very alarmed and called the RP to report it.</p> <p>RP is in a contractual dispute with the subj, Uli ZANGPO, WMA 42yo 602/180, blk/bro. Subj lives at [REDACTED]. Related vehs: Gry 2004 VW Passat SW, Whi GMC large diesel truck, a whi Unimog dumptruck.</p>								
<b>TIME</b>	<b>EVENT</b>							
20:07:55	Incident initiated at Fairfax Police Department, 144 Bolinas Rd, Fairfa2							
20:08:08	5L2 DISP. Fairfax Police Department, 144 Bolinas Rd, Fairfax							
20:08:10	5L2 ENRT.							
20:09:57	Incident comments changed							
20:13:20	5L2 10-97.							
20:13:54	Incident comments changed							
20:58:40	5L2 10-8.							
20:58:41	5L2 Closed - Disposition AG							

MARK MORRISON

11705

06-17-08